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March 29, 2006

BY ELECTRONIC FILING

The Honorable Gregory M. Sleet
United States District Court
844 King Street
Wilmington, DE 19801

Re: *Abbott Diabetes Care, Inc. v. Dexcom, Inc.*
Civil Action No. 05-590-GMS

Dear Judge Sleet:

I write on behalf of Dexcom to bring some highly pertinent recent developments in this case to Your Honor's attention.

First, we learned this Monday, March 27, 2006 that the United States Patent Office has now ordered reexamination of all four of the patents which are asserted by Abbott against Dexcom in this case. Second, as the Court is aware, Abbott has decided not to seek immediate injunctive relief. (see 3/24/06 M. Graham letter to Court, D.I. 45) These two factual developments are directly relevant to the arguments made in Abbott's answering brief opposing Dexcom's Motion to Stay Pending Reexamination of the Patents in Suit (see D.I. 32 at 12-23) and to Dexcom's reply to these arguments (see D.I. 39 at 7-17).

Finally, on Friday March 24, 2006 the FDA notified Dexcom that it had approved Dexcom's PMA application to market and sell its STS continuous glucose monitoring system.

Respectfully submitted,



Josy W. Ingersoll (No. 1088)

JWI:cg

cc: Clerk of the Court (by hand delivery)
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James F. Hurst, Esquire (by e-mail)
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